

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

SHELDON SMITH,

Plaintiff,

vs.

DETECTIVE CRAIG POLSTON,

Defendant.

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Case No. 3:11cv67

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JUDGE WALTER HERBERT RICE

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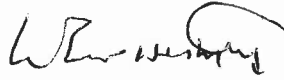
DECISION AND ENTRY SUSTAINING DEFENDANT'S MOTION TO
COMPEL PLAINTIFF TO PARTICIPATE IN DEPOSITION AND TO
EXTEND DEADLINE TO FILE MOTION FOR SUMMARY JUDGMENT
(DOC. #39)

Pursuant to reasoning set forth in the materials accompanying the
Defendant's Motion to Compel Plaintiff to Participate in Deposition and to Extend
Deadline for Filing Motion for Summary Judgment (Doc. # 39), same is sustained in
its entirety.

It is the order of this Court that Plaintiff submit to a deposition by
Defendant, not later than 30 days from date of this Order, or suffer dismissal of his
Complaint for want of prosecution. Assuming the deposition is taken by
Defendant, within the time set forth above, Defendant is granted an extension of

his deadline to file a Motion for Summary Judgment, from March 29, 2012, to May 16, 2012.

April 3, 2012



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Sheldon Smith, *Pro Se*
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Christopher Herman, Esq.